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The request is granted. The Court will treat Plaintiff's previously filed motion to strike as addressed to the "Seventh Defense" asserted in Defendant's Amended Answer. Defendant must file its opposition within 14 days.

VIA E-FILING

Hon. Jesse M. Furman, USDJ
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Centre Street, Room 2202
New York, NY 10007

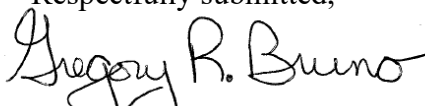
SO ORDERED
December 30, 2024
New York, New York


JOHN P. CRONAN
United States District Judge

Re: Alta Partners, LLC v. Safety Shot, Inc., Case No. 24-cv-00373-JMF

Dear Judge Furman:

We represent plaintiff Alta Partners, LLC ("Alta") in the above-referenced action. On December 13, 2024, Alta filed a motion to strike the "Sixth Defense" asserted in defendant Safety Shot, Inc.'s ("Safety Shot") answer to Alta's amended complaint. (See ECF #s 55-57.) On December 26, 2024, Safety Shot filed an amended answer to Alta's amended complaint. Safety Shot's amended answer continues to assert the subject defense unaltered (except that it is now styled as the "Seventh Defense," rather than the "Sixth Defense"). (See ECF # 58.) In the interest of efficiency, we respectfully request that the Court exercise its discretion to treat Alta's previously-filed motion to strike as addressed to the "Seventh Defense" asserted in Safety Shot's amended answer, and to require Safety Shot to file its opposition within 14 days as required by the Local Rules. *Lindell v. Mail Media Inc.*, 575 F. Supp. 3d 479, 484 (S.D.N.Y. 2021) (noting that if an amended pleading is filed pending a Rule 12 motion, the District Court "has the option of either denying the pending motion as moot or evaluating the motion in light of the facts alleged in the amended [pleading]").

Respectfully submitted,

Gregory R. Bruno

Cc: All Counsel of Record (via ECF)